

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) Attorney Docket No.: ICB0233
Silvano BONADEI) Confirmation No. 3469
Serial No.: 10/563,839) Group Art Unit: 2833
Filed: January 9, 2006) Examiner: Vit W. MISKA
For: BAND-SHAPED STRAP,) Date: September 23, 2008
PARTICULARLY WATCH STRAP,)
ABLE TO BE SHORTENED BY)
CUTTING)

COMMENTS (D) ON STATEMENT OF REASONS FOR ALLOWANCE

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Sir:

In response to the Notice of Allowance mailed July 17, 2008, please enter the following comments regarding the application identified above as follows:

Remarks/Arguments begin on page 2 of this paper.

REMARKS

In response to the Notice of Allowance mailed July 17, 2008, Applicant makes the following Comments on Statement of Reasons for Allowance presented by the Examiner in the Office Action of July 17, 2008, at 2, lines 2-18. The Examiner's Reasons for Allowance paraphrases the language of the allowed claims. In particular, the Examiner states that

“the prior art fails to disclose a plurality of transverse orifices along a strap, the orifices intersecting with an elongated hole passing through the strap, and a buckle with a bar and tongue having an eylet (sic), wherein the strap may be shortened by cutting along one a (sic) section passing through one of the holes, such that the new orifice corresponding to the cut section receives the bar, and the new hole receives the eylet (sic) part of the tongue.”

The Examiner mischaracterizes the claimed invention because, according to independent claim 6,

“the first strand can be shortened by cutting along a transverse section passing through any one of said elongated holes, the transverse orifice associated with the hole becoming a new end orifice for receiving said bar, and the elongated hole through which the cutting has been made becomes a new end notch for receiving the eyelet part of the tongue.”


In view of the clear language of independent claim 6, it is unclear what structure the Examiner contends is “the new hole” because claim 6 recites a “new end orifice” and a “new end notch” but claim 6 does not recite a “new hole” as the Examiner appears to contend.

Therefore, to the extent that the Examiner's Reasons for Allowance mischaracterize the allowed claims 6-12, Applicant objects. The claims, as written, speak for themselves. Applicant agrees that the claimed invention would not have been obvious at the time the invention was made, and that no prima facie showing of anticipation or obviousness could be made in view of the prior art of record.

Questions are welcomed by the below-signed attorney for Applicant.

Respectfully submitted,

GRIFFIN & SZIPL, P.C.



Joerg-Uwe Szimpl
Registration No. 31,799

GRIFFIN & SZIPL, P.C.
Suite PH-1
2300 Ninth Street, South
Arlington, VA 22204
Telephone: (703) 979-5700
Facsimile: (703) 979-7429
Email: gands@szipl.com
Customer No.: 24203